

REMARKS

Claims 13-15 have been canceled, claims 1, 4 and 16 have been amended, and claims 1-12 and 16-20 are pending in this application. No new matter has been added and reconsideration of the application is respectfully requested.

Claim Rejections – 35 USC § 102 and § 103

On page 2 of the Office Action, the Examiner rejects claims 1-12 and 16-20 under 35 U.S.C. §102(e) as anticipated by Hirka et al. (US 2003/0061157).

Applicants have amended independent claims 1, 4 and 16 and respectfully submit that amended independent claims 1, 4 and 16, and all claims depending therefrom, are in condition for allowance.

On page 6 of the Office Action, the Examiner rejects claims 13-15 under 35 U.S.C. §103(a) as being unpatentable over Hirka (US 2003/0061157) in view of Star (US 2003/0216990).

The Examiner states that while Hirka does not explicitly teach a primary user assigning a PIN number to at least one secondary user, wherein the secondary user is a child and the primary user assigning an account limit to the secondary user, Star specifically teaches these limitations.

Therefore, the Examiner argues that it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Star into the teachings of Hirka in order to enable the primary user to assign an account limit and pin number to a secondary user because it provides a means of performing integrated financial transactions with multiple privileges for users.

Applicants have amended independent claims 1, 4 and 16 to incorporate the limitations of dependent claims 13-15.

One of the primary goals in Star is to allow small businesses to allow different individuals in their organization different privilege levels, especially as those privileges related to viewing data (e.g., in paragraph 0027 of Star, to allow the payroll person to employ payroll service, but prevent the payroll person from accessing the CMA account for general check

writing privileges). This restricted access is further described in paragraph 0040 in Star as applied to read access for different people within an organization. Hirka, however, is designed to access multiple personal financial accounts through the use of one card. In particular, there is no suggestion or need for a person in Hirka to assign a secondary user who is a family member and assign various privileges to same.

Pursuant to MPEP 2143.01, there must be a basis in the art for combining or modifying Hirka to incorporate the user privileges in Star:

The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990).

Applicants respectfully argue that given the primary goal in Hirka to allow a user to use one physical credit card to access multiple credit accounts, Hirka does not provide any suggestion, motivation or means to incur further overhead by providing a web-based user administration system to assign family members specific PIN numbers and spending limits, thereby further complicating the process in order to employ the teachings of Star (e.g., allowing small business owners to integrate specific financial transactions).

Furthermore, Applicants submit this proposed modification is not proper and the *prima facie* case of obviousness cannot be properly made if the modification destroys the intent, purpose or function of the invention disclosed in the reference. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984).

Therefore, Applicants respectfully submit that amended claims 1, 4, 16, and all dependent claims depending therefrom, are in condition for allowance.

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Extension of Time

Pursuant to 37 C.F.R. §1.17(a)(1), Applicants request a one-month extension of time from July 25, 2005 to August 25, 2005 to respond to the April 25, 2005 Office Action. Accordingly, Applicant has enclosed a check in the amount of \$60.00 (small entity) for this extension of time. Any additional fees arising as a result of this Amendment or any other communication are authorized to be withdrawn from Deposit Account No. 50-2241.

Conclusion

Applicants respectfully assert that independent claims 1, 4, 16 and all claims depending therefrom, are in compliance with 35 U.S.C. §§102 and 103. Accordingly, the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

The Examiner is invited to contact the undersigned at the telephone number appearing below should the Examiner have any questions regarding the prosecution of this application.

Respectfully submitted,

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